

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

United States of America,

Plaintiff,

-against-

William R. Cosme,

Defendant.

No. 13-CR-43 (LAP)

ORDER

LORETTA A. PRESKA, Senior United States District Judge:

The Court is in receipt of Mr. Cosme's pro se Motion for Hearing, (see dkt. no 571), and pro se Supplemental Filing in Support of a Motion for a Pre-Sentencing Hearing, (see dkt. no. 572), (the "Motions").

The Motions are the latest papers Mr. Cosme has filed with the Court in an apparent attempt to delay his resentencing. As the Court has now stated on multiple occasions, Mr. Cosme's resentencing will only be adjourned upon a showing of "extraordinarily good cause." (See dkt. nos. 550, 567).

Mr. Cosme now requests that the Court hold a hearing prior to his resentencing to address alleged misrepresentations that he claims Probation made within the Presentence Investigation Report ("PSR") its officers prepared over six years ago in advance of Mr. Cosme's initial sentencing. Mr. Cosme bases his request for a hearing on assertions that are plainly defamatory of such Probation officers and has not provided any factual

material that supports his assertions. Therefore, there is no basis to grant Mr. Cosme's request for a hearing that would further delay resentencing, let alone the "extraordinary cause" that he must show to warrant one.

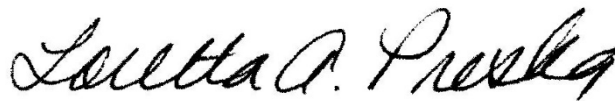
The joint affidavit that Mr. Cosme has attached as an exhibit to each of his Motions does not demand a contrary conclusion. The affidavit neither contradicts the material in the PSR nor supports Mr. Cosme's assertions regarding the veracity of the PSR.

Accordingly, Mr. Cosme's Motions are DENIED. Due to the defamatory nature of the allegations contained in Mr. Cosme's Motions, the Motions and the exhibits attached thereto are to remain under seal.

The Clerk of the Court shall mail a copy of this order to Mr. Cosme.

SO ORDERED.

Dated: November 8, 2023
New York, New York

A handwritten signature in black ink, reading "Loretta A. Preska". The signature is written in a cursive, flowing style.

LORETTA A. PRESKA
Senior United States District Judge